

M/047/007

**From:** Pete Sokolosky <psokolos@ut.blm.gov>  
**To:** NRDOMAIN.NROGM(TGALLEGO)  
**Date:** 8/24/98 9:25am  
**Subject:** SF Phosphates POO comments - Reply

Tony:

Attached is the our letter (in WordPerfect 6.0) requesting further information from SF regarding their plan of operation. The letter was dated Aug. 14, 1998 and the return receipt shows SF received this certified letter on Aug. 17th. I forgot to cc: UDOGM.

Tim Thompson hopes to submit a revised plan near the end of this week or early next week.

The Utah BLM also shares information on plans of operation and notices with the Div. of Water Quality under an MOU (memorandum of understanding). We were in receipt of a 3 page letter DWQ sent to SF in the matter of SF's plan (the letter is dated July 7th, I believe this should be Aug. 7th; a cc: of it was mailed to Wayne Hedberg).

Please send me a quick message acknowledging you received this message.

Pete S.

DOGM RECEIVED AS ATTACHMENT  
TO E-MAIL 0.0 8/24/98



## United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Vernal District Field Office  
170 South 500 East  
Vernal, Utah 84078-2799  
<http://www.blm.gov/utah/vernal>

M/047/007

Phone: (435) 781-4400  
Fax: (435) 781-4410

IN REPLY REFER TO:

3809  
76097  
UT083

BLM DATE = Aug. 14, 1998

CERTIFIED MAIL  
Return Receipt Requested  
No. Z 413 579 610

Mr. Ron Ryan  
SF Phosphates L.C.  
9401 North Highway 191  
Vernal, Utah 84078

Re: Plan of operation filed to conduct operations, serial no. UTU  
76097 T.3S., R.21E., Sec. 1 S2NE and T.3S., R.22E. Sec. 6 S2N2  
(SLB&M)

Dear Mr. Ryan:

This letter is in response to your submitted plan of operations, proposing to expand the current tailings storage facility on July 27, 1998. This surface management case has been assigned serial number **UTU76097**. Following a review of the plan, I have determined that **there are a number of items which need to be responded to, in writing, in order to make the plan complete.** The information requested is linked to the document by subsection or figure number.

subsection

information requested

- 2.E. p. 5 (3d para.[paragraph]) The potential for sewage waters from the concentrator building being discharged in the future. You need to cite if this would be treated or untreated sewage, when you would make a decision if sewage would be discharged, and under what permitting system such would be allowed.
- 2.E. pp. 5 - 11. If the tabular data presented is the latest available, we necessarily need to know 1) if this is the latest information required by the appropriate State or Federal regulatory agencies with whom you have permits for tailings and water storage, 2) are there any particular intervals for conducting testing (as required by the regulatory agency), and 3) which agency(s) set the regulatory levels (reg. level



or G.W. Standard in some table headers) and are these maximum allowable limits (the latter two items could be presented as a footnote to each table)? The acronyms in the tables and footnotes need to be explained. An index map showing locations of samples would be beneficial (could be added to Figure 1).

This section 2.E. does not particularly cite what permits SF Phosphates has for its current disposal regime; e.g., permits from EPA, State Div. of Water Quality, State Engineers Office, Div. of Solid and Hazardous waste, Div. of Oil, Gas, and Mining, etc.. For each permit, please indicate the issuing agency, the date the permit was issued, the permit number, expiration date, and a summary of what the permit allows SF to do (regarding tailings storage). This information can be presented in table format. The compliance of operations with other Federal and State laws (under 43 CFR 3809.2-2) is exhibited through you obtaining the required permits. It would be beneficial for you to send to our office copies of applications for permits and approved permits related to the TSF for our surface management case (copies can be provided at a later time).

- 2.G. There is little mention of hydrogeology, especially information about the geologic formations forming bottom and sides of existing TSF and the proposed expansion and if there is any potential for groundwater charging down-dip (to south of the proposed TSF expansion) via permeable layers or fractures or any potential for migration of TSF fluids with underlying groundwater aquifers via fractures. There is no information about existing springs or other water rights which could potentially be impacted. Perhaps geotechnical work has revealed there is low or no potential for such. Either way, there needs to be information about the hydrogeology in the plan.
- 3.B. p. 13 (2d para.) - how likely is the potential for SF requesting a mineral material sale from BLM? If likely, such an action would be connected with the TSF expansion proposal and it should be analyzed in the plan of operation EA (environmental assessment).
- 3.C. 1st para. - while the plan emphasizes that less than 35 acres of public lands on the mill sites would be impacted. It does not account for the fact that almost all the remaining lands involved with the proposal to expand the TSF may have surface owned by SF Phosphates, but have a variety of reservations of minerals to the Government (reservations on our title plats include "all minerals," "all leasables," and "oil and gas, phosphate"). Removal of (Moenkopi Formation) borrow material for the proposed expansion of the dam from lands with such reservations will need further review to determine if the proposed removal operations may impact the reserved mineral estate (especially the phosphate, a leasable mineral) or if a BLM authorization is needed to remove borrow material from land where "all minerals" are reserved (if a BLM authorization is indicated, this would be a connected action which would have to undergo environmental analysis as part of the plan of operation). There is also a phosphate prospecting permit application (serial number UTU 26545) which encompasses T.3S., R.21E., Sec. 1 Lots 1-3. The reservations



of minerals to the Government under SF Phosphate's private surface needs an appropriate degree of discussion in the plan of operation.

3.C (con't) 1st para. - the area to be inundated is referenced in Figure 2, but Figure 2 does not have a legend for the blue line which is assumed to be the ultimate high water and tailings fill line. In a preliminary meeting involving yourself, and Peter Sokolosky and Howard Cleavinger of this office (preceding the plan submittal) you indicated that there will be a freeboard area in the west part of the tailings storage area - i.e., the TSF will not be completely filled with tails, but will have a pond area in the western part of the TSP to allow for the emergency impoundment of flood waters which would continue to drain into the TSF (possible overflow discharge via the proposed spillway discharge channel). This is not revealed in the plan and must be addressed so we know what BLM administered lands may be the subject of actual reclamation (of the solid tails) versus what lands may be part of the freeboard area (may be periodically inundated by water and may not be able to be dewatered or revegetated as part of the reclamation plan).

References Please add a reference section. The author and year of certain publications or studies are cited throughout the plan, but there is no list of references. You might consider adding a list of acronyms and definitions (like what "class 3A" means, see foot note to Table 2-7 on page 11).

Fig. 2 There is no legend indicating what the blue line represents on this figure (assumed to be the proposed tailing fill and freeboard water level maximum heights and the freeboard area in the western part of the TSF should also be shown (see comments about section 3.C. of the plan above).

Fig. 3 The location of the existing and proposed TSF expansion is not clearly indicated (outlines of the existing TSF and the proposed TSF expansion should be added and an appropriate annotation to the legend made). There are dots with #2, #3, and #5 on the map, but no explanation of what these are in the legend - either identify such in the legend of the figure or remove such from the map.

Fig. 4 Since this is a cross section, there should be a line of cross section (a A - A' or some similarly designated line) placed upon Figure 2 so the reader knows where Figure 4 fits in relation to the plan view of the proposed TSF expansion. The Moenkopi siltstone is represented by two different symbols in this figure (the one at the base of the cross section is assumed to be the actual Moenkopi Formation [as it occurs below the TSF] while the one on the foreslope of the dam is construction material). Please make a distinction between the two. The patterns shown in cross section and in the legend are presented in two different scales, it would be preferable to show the patterns at the same scale.

The above request is made pursuant to 43 CFR 3809.1-6(a)(2). The plan of operation will be considered complete when the information above is provided in writing.

I have also been informed that you may employ a third party to write the EA for the plan. Duane DePaepe of this office is the lead contact with regards to third party contract work and acts as liaison between the contractor and the Vernal Office staff who review contracted EA's. A reasonable array of alternatives has to be addressed in an EA. You may discuss such in the plan of operation or develop such with the assistance of Mr. DePaepe. The information in the letter above mentions the matter of connected actions. These are other actions the proposed plan of operation would or is likely to precipitate which would impact public lands, like the rerouting of utilities (right-of-way realignment), the need for mineral materials for the project (under the 43 CFR 3600 regulations), etc. Please be sure that connected actions are adequately identified in the plan and incorporated in the EA.

Chevron Resources had established surface management case file UTU66373 in the matter of older TSF operations. This case was closed upon the patenting of certain mill sites in the late 1980's, but does contain EA 1990-10 (this EA predated the Diamond Mountain RMP) and other resource information which may be useful in the writing of an EA for the proposed TSF expansion. This case file is available for review at this office.

As you know there is a moratorium on the BLM processing mineral patent applications. Our Realty and Lands team will be in contact with you regarding potential ways SF Phosphates could, if the company desires, acquire the public lands which may be occupied by the tailings storage facility expansion - should the plan of operation be approved.

If you have any questions, please contact Peter Sokolosky at this office.

Sincerely,

David E. Howell  
Vernal District Field Manager

cc: JBR Environmental Consultants

PSokolosky | pks | 8-14-98

bcc: reading file  
case file UTU 76097